

Board of Registration of Massage Therapy
April 13th, 2015 Public Session Meeting Minutes
Location: 1000 Washington St. Boston, MA 02118, Room 1D

Present:

Board members:

Paul Andrews, Board Chair
Jennie Pelletier, Vice President
Alexei Levine, Board Member
Matt Olds, Board Member
Ann Marie Kennedy, Board Member

DPL Staff:

Ana Garcia, Assoc. Executive Director
Peter Kelley, Board Counsel
Wendy Solis, Board Administrator
Shawn Croke, Board Investigator

Board members not in attendance:

Sherri Sarmento

Item 1) 10:03 a.m. Meeting called to order

- **Housekeeping and Evacuation Procedure** – Associate Executive Director detailed the evacuation plan to be followed in the event of an emergency.

Item 2) 10:05 a.m. Election of new officers:

Ms. Kennedy moved to nominate Mr. Andrews for the office of Board Chair. Ms. Pelletier second. Motion passed unanimously.

Ms. Kennedy moved to nominate of Ms. Pelletier for the office of Vice Chair. Mr. Olds second. Motion passed unanimously.

Item 3) 10:07 a.m. Board Meeting Minutes:

Ms. Kennedy moved to approve the Executive Session minutes for the January 9th, 2015 monthly board meeting as amended. Mr. Levine second. Mr. Olds and Ms. Pelletier abstained. Motion passed unanimously.

Mr. Levine moved to approve the Public Session minutes for the January 9th, 2015 monthly board meeting as amended. Ms. Kennedy seconded. Mr. Olds and Ms. Pelletier abstained. Motion passed unanimously.

Mr. Olds moved to approve the Executive Session for the March 9th, 2015 monthly board meeting as amended. Ms. Pelletier second. Motion passed unanimously.

Mr. Olds moved to approve the Public Session for the March 9th, 2015 monthly board meeting as amended. Ms. Pelletier seconded. Motion passed unanimously.

Item 4) 10:15 a.m. Applicants Review

- **Appl. # 29143 (LG)** - The Board questioned the applicant about the duties and responsibilities of compliance officer including, sanitary standards, contraindications to treatment, and record keeping. Mr. Levine motion to deny Xie Jian as the compliance office for the multi establishment. Ms. Kennedy second. Ms. Pelletier abstain.

Item 5) 10:27 a.m. Candidate Interviews: [*Executive Session – closed session pursuant to G.L.30A*]

Mr. Olds moved to enter into an Executive Session *pursuant to G.L.30A §21(1)* to discuss the character rather than competence of applicants for licensure. Ms. Pelletier seconded. After taking a roll call vote (all “yes”), motion passed unanimously.

After the Executive Session, the open meeting resumed.

Item 6) 11:28 p.m. Investigative Conference: Review Cases [*closed session pursuant to MGL c. 112, §65C*]

Ms. Pelletier moved to suspend the open meeting and enter closed session to conduct an investigative conference pursuant to *MGL c. 112, §65C* to review and discuss cases, including appeals. Mr. Olds seconded. Motion passed unanimously.

During the Investigative Conference the Board voted to take the following action:

- **MT-13-044**-Forward to prosecutions
- **MT-13-045**-Forward to prosecutions
- **MT- 13-046**-Dismiss
- **MT-13-047**-Dismiss
- **MT-13-048**-Dismiss
- **MT-14-049**-Dismiss

Item 7) 11:53 p.m. Final Decision and Order [*Closed Session deliberative review: closed session pursuant to G.L.30A §18 (5) (d)*]

Ms. Pelletier moved to continue the closed session to conduct quasi-judicial deliberations pursuant to G.L, c. 30A, s. 18 (5)(d). Mr. Levine seconded. Motion passed by unanimous consent.

Board deliberated on the final decision and orders presented in the matters of:

- MT-14-026

- NT-14-079
- MT-14-106
- MT-14-107
- MT-14-124

After the Deliberative Session, the open meeting resumed:

Item 8) 12:02 p.m. Board Counsel Report:

- Mr. Kelley the Legal Counsel commented on how the administration is still placing a pause on any new regulations. Furthermore, the administration has ordered all regulations must be reviewed based upon a set of criteria to maintain business competitiveness.
- Discussion regarding proposed policy on operators of establishments.

Item9) 12:15 p.m. Settlement Conference: [closed session pursuant to MGL c. 112, §65C]

Motion to suspend the open meeting to conduct a settlement conferences pursuant to *MGL c. 112, §65C* to discuss the terms of a settlement agreement. Motion passed by unanimous consent.

Board discussed settlement offers presented by prosecuting counsel.

At the end of the Closed Session, the open meeting resumed:

Item 10) 12:19 p.m. Correspondences:

- **Email from Debra Jean LeBurn to Wendy Solis-** *regarding cupping and vacuum therapy-* board voted to table matter and invite Ms. Jean LeBurn for the May 11th monthly board meeting for further discussion.
- **Request for Board Members to attend hearings:**
MT-14-145 & 144 for May 28th, 2015 at 10:00 a.m.-Ms. Pelletier volunteered
MT-15-038 for June 23rd, 2015 at 10:30 a.m.-Mr. Andrews volunteered
MT-15-041for June 16th 2015 at 10:30 a.m.-Mr. Olds volunteered

Item 11) 12:41p.m. Adjournment:

Ms. Pelletier moved to adjourn the meeting. Mr. Olds seconded. Motion passed unanimously.

Respectfully Submitted,

/s/ Wendy Solis
Board Administrator